

Message Text

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ORIGIN EB-11

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TO AMEMBASSY MEXICO IMMEDIATE

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E. O. 11652: N/ A

TAGS: ETRN, MX

SUBJECT: RETURN OF US RAIL CARS

REF: STATE 798 L12

1. INTERSTATE COMMERCE COMMISSION HAS ADVISED DEPARTMENT ITS SERIOUS CONCERN RAIL CAR SITUATION AND THAT IT IS CONTEMPLATING ISSUANCE OF EMBARGO ORDER AGAINST ALL RAIL SHIPMENTS TO MEXICO. CHAIRMAN ICC HAS REQUESTED MEETING WITH DEPARTMENT MAY 8 TO EXPLAIN SERIOUSNESS OF SITUATION AND DISCUSS PROPOSED COURSE OF ACTION. EMBASSY REQUESTED EXPLORE SITUATION WITH APPROPRIATE GOM OFFICIALS ON RUSH BASIS AND PROVIDE REPORT AND RECOMMENDATIONS TO DEPARTMENT BEFORE NOON TUESDAY.

2. AAR OFFICIALS HAVE ADVISED DEPARTMENT THAT PLAN AGREED
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AT APRIL 26 MEETING APPARENTLY NOT BEING EFFECTED. SHORT-AGE OF LOCOMOTIVE POWER ON MEXICAN SIDE BELIEVED TO BE A PRIME FACTOR. SOME 3400 LOADED CARS PRESENTLY IN LAREDO GATEWAY AWAITING MOVEMENT INTO MEXICO IN ADDITION 7000 PLUS IN THE COUNTRY. US RAILROADS HAVE SIMILAR SHORTAGE LOCOMOTIVES BUT MISSOURI PACIFIC OFFERED FOUR OR SIX ON TEMPORARY LOAN TO FNM TO MOVE EMPTIES. ONLY TWO ACCEPTED. OTHERS FOR REASONS UNKNOWN HERE WERE DESCRIBED AS UNSUIT-ABLE.

3. RAIL CAR SITUATION IN US IS CRITICAL AND GENERATING WIDE RANGE OF POLITICAL PRESSURES UPON REGULATORY AGENCIES. DEPARTMENT IS ANXIOUS TO ASSIST IN RESOLUTION THIS PROBLEM TO THE EXTENT THAT IT CAN. AT THE SAME TIME IT IS RELUCTANT TO ENCOURAGE ICC TAKE FORMAL ACTION OF TYPE BEING CONTEMPLATED.

4. ONE POSSIBLE SOLUTION TO PROBLEM WOULD BE FOR FNM ITSELF TO DECLARE AN EMBARGO ON SOUTHBOUND MOVEMENTS FOR A SPECIFIC TIME PERIOD AND TO NOTIFY THE AAR. IT WOULD BECOME EFFECTIVE WITH RESPECT TO FURTHER LOADING OF CARS 48 HOURS AFTER NOTIFICATION. ACCORDING AAR THIS IS PROCEDURE WHICH FNM OR ANY RAILROAD IN SIMILAR SITUATION SHOULD EMPLOY. FNM IS A MEMBER OF AAR AND FOR ALL PRACTICAL PURPOSES IS PART OF A JOINT RAIL INTERCHANGE SYSTEM EVEN THOUGH IT IS A GOVERNMENTAL RATHER THAN A PRIVATE ENTITY.

5. AAR IS CONVENING ITS OWN MEETING IN HOUSTON ON MONDAY, MAY 7 WHICH INTER ALIA WILL DISCUSS THIS QUESTION. FNM IS EXPECTED TO BE REPRESENTED. ONE POSSIBLE OUTCOME WOULD BE FOR AAR TO DECLARE AN EMBARGO ITSELF. HOWEVER, IT WOULD PREFER THAT FNM DO SO. RUSH

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*** Current Classification *** LIMITED OFFICIAL USE

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